

COPY

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5 Attorneys for Defendant
6 EXPERIAN INFORMATION SOLUTIONS,
INC.

7
8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA

10
11 EDEN KRETCHET,

12 Plaintiff,

13 v.

14 TRANS UNION LLC, EXPERIAN
15 INFORMATION SOLUTIONS INC.
16 EQUIFAX INFORMATION
17 SERVICES LLC, CAPITAL ONE
18 BANK (USA) N.A., BANK OF
19 AMERICA CORPORATION,
NATIONAL CREDIT ADJUSTERS
LLC, CALIFORNIA BUSINESS
BUREAU INC., LVNV FUNDING
LLC, DOES 1 TO 10, INCLUSIVE,,

20 Defendants.

Case No. CV14-01953 DMG (RZx)

NOTICE OF REMOVAL OF
ACTION: UNDER 28 U.S.C. §
1441

[FEDERAL QUESTION]

21
22 Pursuant to 28 U.S.C. § 1441 *et seq.*, Defendant Experian Information
23 Solutions, Inc. ("Experian") hereby files a Notice of Removal for the above-
24 captioned action to this Court.

25 In further support of this Notice, Experian states:

26 1. Experian, is a named Defendant in Civil Action No. Doc. 14K02478
27 filed in the Superior Court of the State of California, County of Los Angeles (the
28 "State Court Action").

1 2. The Complaint in the State Court Action was filed with the Clerk of
2 the Superior Court of the State of California, County of Los Angeles on
3 February 14, 2014. Defendant Experian was served with the complaint on February
4 14, 2014.

5 3. This Notice is being filed with this Court within thirty (30) days after
6 Defendant Experian received a copy of Plaintiff's initial pleadings setting forth the
7 claims for relief upon which Plaintiff's action is based.

8 4. Pursuant to 28 U.S.C. § 1446(a), attached hereto as Exhibit A is a true
9 and correct copy of all substantive records and proceedings from the state court.

10 5. Pursuant to 28 U.S.C. § 1446(d), Experian shall file a copy of this
11 Notice of Removal with the clerk of the State Court Action, and shall serve Plaintiff
12 through her attorney of record in the State Court Action with this Notice promptly
13 after its filing.

14 6. Experian is a corporation which, for monetary fees, regularly engages
15 in whole or in part in the practice of assembling consumer credit information or
16 other information on consumers for the purpose of furnishing consumer reports to
17 third parties. Experian uses means or facilities of interstate commerce for the
18 purpose of preparing or furnishing consumer reports, and therefore is a "consumer
19 reporting agency" within the meaning of 15 U.S.C. § 1681a(f).


20 7. The claims of relief against Experian alleged in the State Court Action
21 arise under the Fair Credit Reporting Act, 15 U.S.C. §§ 1681-1681u. Thus, this
22 court has original subject matter jurisdiction over the above-captioned action
23 pursuant to 28 U.S.C. § 1331 and 15 U.S.C. § 1681p. The above-captioned action
24 may properly be removed to this United States District Court pursuant to 28 U.S.C.
25 § 1441(a) and (b).

26 8. Defendant Experian does not waive any defense to the Complaint,
27 including but not limited to lack of service, improper service, or lack of personal
28 jurisdiction.

1 WHEREFORE, Experian notices the removal of this case to the United
2 States District Court for the Central District of California pursuant to 28 U.S.C. §
3 1441 *et seq.*
4

5 Dated: March 14, 2014

JONES DAY

6
7 By: 
8 Katherine A. Klimkowski

9 Attorneys for Defendant
10 EXPERIAN INFORMATION
11 SOLUTIONS, INC.
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EXHIBIT A

SUMMONS
(CITACION JUDICIAL)

NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):

TRANS UNION LLC, EXPERIAN INFORMATION SOLUTIONS
INC, "Additional Parties Attachment Form is attached."

YOU ARE BEING SUED BY PLAINTIFF:
(LO ESTÁ DEMANDANDO EL DEMANDANTE):

EDEN KRETCHET

SUM-100

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

CONFORMED COPY
ORIGINAL FILED
Superior Court Of California
County Of Los Angeles

FEB 14 2014

Sherri R. Carter, Executive Officer/Clerk
By: Paul So, Deputy

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case.

¡AVISO! Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:
(El nombre y dirección de la corte es):

LOS ANGELES SUPERIOR COURT - CENTRAL DISTRICT
111 NORTH HILL STREET, LOS ANGELES CA 90012

CASE NUMBER:
(Número del Caso):

14K02478

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):
EDEN KRETCHET - 11137 FREER STREET, TEMPLE CITY CA 91780-3606 - (949) 600-0380

DATE:
(Fecha)

SHERRI R. CARTER

Clerk, by
(Secretario)

PAUL SO

Deputy
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)
(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

[SEAL]

NOTICE TO THE PERSON SERVED: You are served

1. ☐ as an individual defendant.
2. ☐ as the person sued under the fictitious name of (specify):

3. ☒ on behalf of (specify):

- under: ☒ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)
☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)
☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (authorized person)

☐ other (specify):

4. ☐ by personal delivery on (date):

FEB 14 2014

SUM-200(A)

SHORT TITLE:

KRETCHET v. TRANS UNION LLC

CASE NUMBER:

INSTRUCTIONS FOR USE

- This form may be used as an attachment to any summons if space does not permit the listing of all parties on the summons.
- If this attachment is used, insert the following statement in the plaintiff or defendant box on the summons: "Additional Parties Attachment form is attached."

List additional parties (Check only one box. Use a separate page for each type of party.):

☐ Plaintiff ☒ Defendant ☐ Cross-Complainant ☐ Cross-Defendant

EQUIFAX INFORMATION SERVICES LLC, CAPITAL ONE BANK (USA) N.A., BANK OF AMERICA CORPORATION, NATIONAL CREDIT ADJUSTERS LLC, CALIFORNIA BUSINESS BUREAU INC, LVNV FUNDING LLC, DOES 1 TO 10 INCLUSIVE.

Page _____ of _____

Page 1 of 1

EDEN KRETCHET
11137 Freer Street
Temple City, CA 91780
(949) 600-0380

Plaintiff in propria persona

CONFORMED COPY
ORIGINAL FILED
Superior Court Of California
County Of Los Angeles

FEB 14 2014

Sherri R. Carter, Executive Officer/Clerk
By: Paul So, Deputy

SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES – CENTRAL DISTRICT
STANLEY MOSK COURTHOUSE

EDEN KRETCHET,)	CASE NUMBER
)	
Plaintiff,)	COMPLAINT FOR: 14 K 0 2 4 7 8
)	
vs.)	1. DAMAGES FOR VIOLATION
)	OF THE CONSUMER CREDIT
TRANS UNION LLC, EXPERIAN)	REPORTING AGENCIES ACT
INFORMATION SOLUTIONS INC.,)	[CC §1785.1 et seq.]
EQUIFAX INFORMATION)	
SERVICES LLC, CAPITAL ONE)	2. PUNITIVE DAMAGES
BANK (USA) N.A., BANK OF)	
AMERICA CORPORATION,)	
NATIONAL CREDIT ADJUSTERS)	
LLC, CALIFORNIA BUSINESS)	
BUREAU INC, LVNV FUNDING)	
LLC, DOES 1 TO 10 INCLUSIVE.)	
<u>Defendants.</u>)	

(Exceeds \$10,000.00 does not exceed \$25,000.00 – Action a Limited Civil Case)

Plaintiff alleges as follows:

PRELIMINARY ALLEGATIONS

1. Plaintiff, EDEN KRETCHET ("PLAINTIFF"), is an individual over the age of 18 years who resides at 11137 Freer Street, Temple City, California 91780.

COMPLAINT

1 8. Defendant, CALIFORNIA BUSINESS BUREAU INC. ("CBB") is a
2 California Corporation authorized to conduct business in the State of California. CBB
3 is a collection agency.

4 9. Defendant, BANK OF AMERICA CORPORATION ("BAC"), is a State
5 of Delaware Corporation authorized to conduct business in the State of California.
6

7 10. PLAINTIFF is ignorant of the true names and capacities of
8 Defendants sued herein as Does 1 to 10 and therefore sue these Defendants by such
9 fictitious names. PLAINTIFF will amend this Complaint to allege the true names
10 and capacities when ascertained.
11

12 11. PLAINTIFF is informed and believe and thereon alleges that at all
13 times herein mentioned each of the Defendants were the agents, servants and
14 employees of their codefendants and in doing the things hereinafter alleged were
15 acting in the scope of their authority as such agents, servants and employees with the
16 permission and consent of their codefendants.
17

18 12. This judicial district is the proper venue for this action because
19 PLAINTIFF lives in this judicial district.
20

21 **FIRST CAUSE OF ACTION**

22 **Violation of Consumer Credit Reporting Act - Count One**
23 **Against Defendants: CBB, CAP ONE, XPN, TUC, EFX, DOES 1 - 5**

24 13. On or about July through September 2013, in writing, PLAINTIFF
25 disputed to these Defendants, and each of them, that they were reporting the same
26 negative account information multiple times in violation of the Fair Credit Reporting Act.
27 Subsequently, these Defendants, and each of them failed and refused and do fail and
28

COMPLAINT

1 refuse to correct said erroneous multiple reports of the same account.

2 14. As a direct result of these Defendants conduct in maintaining and
3 reporting this inappropriate information to potential credit grantors and others,
4 PLAINTIFF has been, is and will continue to be denied licensing, credit or is being
5 denied more favorable credit terms, all of which has been and is damaging in a
6 sum uncertain to PLAINTIFF who asks leave of the court to amend this Complaint to
7 state said sum when the same becomes known to him.
8

9 15. Because of Defendants' conduct as above alleged, PLAINTIFF is entitled
10 to punitive damages pursuant to Section 1785.31(B) of the Civil Code of the State of
11 California of not less than \$100 nor more than \$5,000 for each violation of the Act.
12

13 **SECOND CAUSE OF ACTION**

14 **Violation of Consumer Credit Reporting Act - Count Two**
15 **Against Defendants: BAC, NCA, LVNV, XPN, TUC, EFX, DOES 6 - 10**

16 16. PLAINTIFF realleges all of the allegations contained in paragraphs 1
17 through 12 above as though fully stated herein.

18 17. On or about July through September 2013, in writing, PLAINTIFF
19 disputed to these Defendants, and each of them, that they were reporting certain
20 negative account information in which the delinquency of the account was being reported
21 as having occurred much more recently than was actually the case in violation of the Fair
22 Credit Reporting Act. Subsequently, these Defendants, and each of them failed and
23 refused and do fail and refuse to correct said erroneous dating of the purported delinquent
24 dating of the account.
25

26 18. As a direct result of these Defendants conduct in maintaining and
27

28

COMPLAINT

1 reporting this inappropriate information to potential credit grantors and others,
 2 PLAINTIFF has been, is and will continue to be denied licensing, credit or is being
 3 denied more favorable credit terms, all of which has been and is damaging in a
 4 sum uncertain to PLAINTIFF who asks leave of the court to amend this Complaint to
 5 state said sum when the same becomes known to him.
 6

7 19. Because of Defendants' conduct as above alleged, PLAINTIFF is entitled
 8 to punitive damages pursuant to Section 1785.31(B) of the Civil Code of the State of
 9 California of not less than \$100 nor more than \$5,000 for each violation of the Act.
 10

11 20. Plaintiff remits to the jurisdictional limit of the court.

12 **WHEREFORE**, Plaintiff prays for judgment as follows:

13 **ON THE FIRST CAUSE OF ACTION**

14 **Against Defendants: CBB, CAP ONE, XPN, TUC, EFX, DOES 1 - 5**

- 15 1. For actual damages according to proof;
- 16 2. for punitive damages of not less than \$100 nor more than \$5,000;
- 17

18 **ON THE SECOND CAUSE OF ACTION**

19 **Against Defendants: BAC, NCA, LVNV, XPN, TUC, EFX, DOES 6 - 10**

- 20 3. for actual damages according to proof;
- 21 4. for punitive damages of not less than \$100 nor more than \$5,000;
- 22

23 **ON ALL CAUSES OF ACTION**

24 **Against all Defendants:**

- 25 5. for attorney fees, if any;
- 26 6. for cost of suit;
- 27

28

COMPLAINT

1
2 7. for such further relief the court may deem just and equitable.

3 Dated: February 14, 2014

4 

5 EDEN KRETCHET
6 Plaintiff in propria persona
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COMPLAINT

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

In re Los Angeles Superior Court Cases General) Case No.: 14K02478
Order – Limited Jurisdiction (Non-Collections))
Cases) GENERAL ORDER
)
)
)
)

TO EACH PARTY AND TO THE ATTORNEY OF RECORD FOR EACH PARTY:

Pursuant to the California Code of Civil Procedure, the California Rules of Court, and the
Los Angeles County Court Rules, the COURT HEREBY GENERALLY ORDERS AS
FOLLOWS IN THIS ACTION:

1. **PLAINTIFF/S IS/ARE ORDERED TO SERVE A COPY OF THIS
GENERAL ORDER ON THE DEFENDANT/S WITH COPIES OF THE SUMMONS
AND COMPLAINT AND TO FILE PROOF OF SERVICE, AS MANDATED IN THIS
ORDER. (Code Civ. Proc., § 594, subd. (b).)**

2. The Court sets the following trial date in this case in Department 77 at the
Stanley Mosk Courthouse, 111 North Hill Street, Los Angeles, CA 90012:

POS: 08 / 14 / 2014 TRIAL: 08 / 14 / 2015 OSC: 02 / 14 / 2017

TRIAL:

• Date: _____ at 8:30 a.m.

SERVICE OF SUMMONS AND COMPLAINT

3. The trial date set forth above is conditioned on the defendant/s being served
with the summons and complaint within six (6) months of the filing of the complaint. The

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES
NOTICE OF CASE PROCEDURES & REQUIREMENTS LIMITED CIVIL
(NON-COLLECTION)ACTIONS**

Case Number: _____

THIS FORM WILL BE POSTED IN THE COURTROOM AND ON THE COURT'S WEBSITE

LIMITED JURISDICTION CASE MANAGEMENT PROCEDURES AND INSTRUCTIONS

The following critical provisions, as applicable in the Central District are cited for your information:

TIME STANDARDS:

COMPLAINTS: All complaints should be served and the proof of service filed within 60 days after filing of the complaint.

CROSS-COMPLAINTS: Without leave of court first being obtained, no cross-complaint may be filed by any party after their answer is filed. Cross-complaints against parties new to the action must be served and the proof of service filed within 30 days after the filing of the cross-complaint. A cross-complaint against a party who has already appeared in the action must be accompanied by proof of service of the cross-complaint at the time it is filed (Code Civ. Proc. §428.50).

DEFAULTS: (Local Rule 9.10, Cal. Rules of Court, rule 3.110(g)). If a responsive pleading is not served within the time to respond and no extension of time has been granted, the plaintiff should file a Request for Entry of Default within 10 calendar days after the time to respond has elapsed. The plaintiff should request default judgment on the defaulting defendants within 40 calendar days after entry of default. Requests for entry of default judgments will only be considered based upon written submissions.

NOTICED MOTIONS: All regularly noticed pre-trial motions will be heard in the Limited Civil Courtroom on Mondays, Tuesdays, Wednesdays and Thursdays at 8:30 a.m. and will require parties to reserve a hearing date in Department 77. Motions for Summary Judgment must be identified at the time of reservation. All motions should be filed in Room 102. Tentative rulings may be posted on the Court's internet site, <http://www.lasuperiorcourt.org/tentative> ruling, the day prior to the hearing.

EX-PARTE MATTERS: All pre-trial ex-parte applications should be noticed in the Limited Civil Court, Department 77 for 1:30 p.m. Ex parte appearance applications for Department 77 will be heard daily and must be filed by 1:00 p.m. daily in Room 102 on the day of the hearing.

UNINSURED MOTORISTS CLAIMS: Delay Reduction Rules do not apply to uninsured motorist claims. The plaintiff must file a Notice of Designation with the Court, identifying the case as an uninsured motorist claim under Insurance Code section 11580.2

2/7/13

1 trial date will be continued to a later date if service is not accomplished within six (6)
 2 months. The parties may stipulate to keep the original trial date even if service of the
 3 summons and complaint is not completed within six (6) months of the filing of the original
 4 complaint.

5 4. The summons and complaint shall be served upon the defendant/s within three
 6 (3) years after the complaint is filed in this action. (Code Civ. Proc., § 583.210, subd. (a).)
 7 Failure to comply will result in dismissal, without prejudice, of the action, as to all unserved
 8 parties who have not been dismissed as of that date. (Code Civ. Proc., § 581, subd. (b)(4).).
 9 The dismissal as to the unserved parties, without prejudice, for this case shall be effective on
 10 the following date:
 11
 12

13 **UNSERVED PARTIES DISMISSAL DATE**
 14
 15
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18 5. No Case Management Review (CMR) will be conducted in this case.
 19

20 **LAW AND MOTION**

21 6. All regularly noticed pre-trial motions will be heard in Department 77 on
 22 Mondays, Tuesdays, Wednesdays, and Thursdays at 8:30 a.m. Motions will require parties
 23 to reserve a hearing date by calling (213) 974-6247. All motions should be filed in Room
 24 102 of the Stanley Mosk Courthouse.
 25

26 7. Tentative rulings may be posted on the Court's internet site at
 27 <http://www.lasuperiorcourt.org/tentativeruling> the day prior to the hearing.
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EX PARTE APPLICATIONS

8. Ex parte applications should be noticed for 1:30 p.m. in Department 77. All applications must be filed by 1:00 p.m. in Room 102 of the Stanley Mosk Courthouse.

JURY FEES

9. The fee shall be due no later than 365 calendar days after the filing of the initial complaint. (Code Civ. Proc., § 631, subds. (b) and (c).)

STIPULATION TO CONTINUE TRIAL

10. A trial will be postponed if all attorneys of record and/or the parties who have appeared in the action stipulate in writing to a specific continued date. If the Stipulation is filed less than five (5) court days before the scheduled trial date, then a courtesy copy of the stipulation must be filed in Department 77. The stipulation and order should be filed in Room 102 of the Stanley Mosk Courthouse with the required filing fees. (Code Civ. Proc., § 595.2 and Govt. Code § 70617, subd. (c)(2).)

TRIAL

11. Parties are to appear on the trial date ready to go to trial, and must meet and confer on all pretrial matters at least 20 calendar days before the trial date. On the day of trial the Parties shall bring with them to Department 77 all of the following:

- i. Joint Statement of the Case;
- ii. Motions in Limine, which must be served and filed in accordance with the Local Rules of the Los Angeles Superior Court (LASC), see local rule 3.57;
- iii. Joint Witness List disclosing the witnesses who will be called what they will testify to, and how long their testimony will take;
- iv. Joint Exhibits in exhibit books, numbered appropriately, and Exhibit List;


1 v. Joint Proposed Jury Instructions printed out for the court; and

2 vi. Joint Proposed Verdict form(s) printed out for the court.

3 12. **FAILURE TO COMPLY WITH ANY REQUIREMENT SET FORTH**
4 **IN PARAGRAPH 11 ABOVE MAY RESULT IN SANCTIONS OR THE VACATING**
5 **OF THE TRIAL DATE. (Los Angeles Superior Court Local Rule 3.37.)**
6

7
8 GOOD CAUSE APPEARING THEREFORE, IT IS SO ORDERED.
9

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11 DATE: March 13, 2013
12


13 Hon. Stephanie Bowick
14 Judge of the Superior Court
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SHORT TITLE: KRETCHET V. TRANS UNION LLC

CASE NUMBER 14K02478

**CIVIL CASE COVER SHEET ADDENDUM AND
STATEMENT OF LOCATION
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

This form is required pursuant to Local Rule 2.0 in all new civil case filings in the Los Angeles Superior Court.

Item I. Check the types of hearing and fill in the estimated length of hearing expected for this case:

JURY TRIAL? ☐ YES CLASS ACTION? ☐ YES LIMITED CASE? ☒ YES TIME ESTIMATED FOR TRIAL ³ ☒ HOURS/ ☐ DAYS

Item II. Indicate the correct district and courthouse location (4 steps – If you checked “Limited Case”, skip to Item III, Pg. 4):

Step 1: After first completing the Civil Case Cover Sheet form, find the main Civil Case Cover Sheet heading for your case in the left margin below, and, to the right in Column **A**, the Civil Case Cover Sheet case type you selected.

Step 2: Check one Superior Court type of action in Column **B** below which best describes the nature of this case.

Step 3: In Column **C**, circle the reason for the court location choice that applies to the type of action you have checked. For any exception to the court location, see Local Rule 2.0.

Applicable Reasons for Choosing Courthouse Location (see Column C below)

- | | |
|--|--|
| 1. Class actions must be filed in the Stanley Mosk Courthouse, central district. | 6. Location of property or permanently garaged vehicle. |
| 2. May be filed in central (other county, or no bodily injury/property damage). | 7. Location where petitioner resides. |
| 3. Location where cause of action arose. | 8. Location wherein defendant/respondent functions wholly. |
| 4. Location where bodily injury, death or damage occurred. | 9. Location where one or more of the parties reside. |
| 5. Location where performance required or defendant resides. | 10. Location of Labor Commissioner Office |

Step 4: Fill in the information requested on page 4 in Item III; complete Item IV. Sign the declaration.

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Auto Tort	Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
	Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1., 2., 4.
Other Personal Injury/Property Damage/Wrongful Death Tort	Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	2. 2.
	Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 8.
	Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons <input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1., 4. 1., 4.
	Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall)	1., 4.
		<input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.)	1., 4.
		<input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress	1., 3.
		<input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1., 4.

SHORT TITLE: KRETCHET v. TRANS UNION LLC	CASE NUMBER
--	-------------

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Non-Personal Injury/ Property Damage/ Wrongful Death Tort	Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1., 3.
	Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1., 2., 3.
	Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1., 2., 3.
	Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1., 2., 3.
	Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1., 2., 3. 1., 2., 3.
	Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	2., 3.
Employment	Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination	1., 2., 3.
	Other Employment (15)	<input type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	1., 2., 3. 10.
Contract	Breach of Contract/ Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2., 5. 2., 5. 1., 2., 5. 1., 2., 5.
	Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note/Collections Case	2., 5., 6. 2., 5.
	Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1., 2., 5., 8.
	Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud <input type="checkbox"/> A6031 Tortious Interference <input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1., 2., 3., 5. 1., 2., 3., 5. 1., 2., 3., 8.
	Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels _____	2.
	Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2., 6.
Real Property	Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure <input type="checkbox"/> A6032 Quiet Title <input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2., 6. 2., 6. 2., 6.
	Unlawful Detainer-Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	2., 6.
	Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer	Unlawful Detainer- Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2., 6.
	Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2., 6.

SHORT TITLE: KRETCHET v. TRANS UNION LLC		CASE NUMBER
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	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Judicial Review	Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2., 6.
	Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2., 5.
	Writ of Mandate (02)	<input type="checkbox"/> A6151 Writ - Administrative Mandamus	2., 8.
		<input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter	2.
		<input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2.
	Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ /Judicial Review	2., 8.
Provisionally Complex Litigation	Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1., 2., 8.
	Construction Defect (10)	<input type="checkbox"/> A6007 Construction Defect	1., 2., 3.
	Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort	1., 2., 8.
	Securities Litigation (28)	<input type="checkbox"/> A6035 Securities Litigation Case	1., 2., 8.
	Toxic Tort Environmental (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1., 2., 3., 8.
	Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1., 2., 5., 8.
Enforcement of Judgment	Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment	2., 9.
		<input type="checkbox"/> A6160 Abstract of Judgment	2., 6.
		<input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations)	2., 9.
		<input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes)	2., 8.
		<input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax	2., 8.
		<input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2., 8., 9.
Miscellaneous Civil Complaints	RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1., 2., 8.
	Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only	1., 2., 8.
		<input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment)	2., 8.
		<input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex)	1., 2., 8.
		<input checked="" type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1., 2., 8.
Miscellaneous Civil Petitions	Partnership Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2., 8.
	Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment	2., 3., 9.
<input type="checkbox"/> A6123 Workplace Harassment		2., 3., 9.	
<input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case		2., 3., 9.	
<input type="checkbox"/> A6190 Election Contest		2.	
<input type="checkbox"/> A6110 Petition for Change of Name		2., 7.	
<input type="checkbox"/> A6170 Petition for Relief from Late Claim Law		2., 3., 4., 8.	
<input type="checkbox"/> A6100 Other Civil Petition		2., 9.	

SHORT TITLE: KRETCHET v. TRANS UNION LLC


CASE NUMBER

Item III. Statement of Location: Enter the address of the accident, party's residence or place of business, performance, or other circumstance indicated in Item II., **Step 3** on Page 1, as the proper reason for filing in the court location you selected.

REASON: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected for this case. <input checked="" type="checkbox"/> 1. <input checked="" type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input checked="" type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10.			ADDRESS: 11137 FREER STREET, TEMPLE CITY CA 91780-3606
CITY: TEMPLE CITY	STATE: CA	ZIP CODE: 91780-3606	

Item IV. Declaration of Assignment: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the above-entitled matter is properly filed for assignment to the Stanley Mosk courthouse in the Central District District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., § 392 et seq., and Local Rule 2.0, subds. (b), (c) and (d)].

Dated: 02/14/2014


 (SIGNATURE OF ATTORNEY/FILING PARTY)

PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 03/11).
5. Payment in full of the filing fee, unless fees have been waived.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

COPY

**CONFORMED COPY
ORIGINAL FILED**
Superior Court of California
County Of Los Angeles

MAR 13 2014

Sherri R. Carter, Executive Officer/Clerk
By: Candice S. Calagna, Deputy

Katherine A. Klimkowski (State Bar No. 263099)
JONES DAY
3161 Michelson Drive, Suite 800
Irvine, CA 92612-4408
Telephone: (949) 851-3939
Facsimile: (949) 553-7539
Email: kaklimkowski@jonesday.com

Attorneys for Defendant
EXPERIAN INFORMATION SOLUTIONS, INC.

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES, CENTRAL DISTRICT
STANLEY MOSK COURTHOUSE**

EDEN KRETCHET,

Plaintiff,

v.

TRANS UNION LLC, EXPERIAN
INFORMATION SOLUTIONS INC,
EQUIFAX INFORMATION SERVICES
LLC, CAPITAL ONE BANK (USA) N.A.,
BANK OF AMERICA CORPORATION,
NATIONAL CREDIT ADJUSTERS LLC,
CALIFORNIA BUSINESS BUREAU INC,
LVNV FUNDING LLC, DOES 1 TO 10,
INCLUSIVE.

Defendants.

CASE NO. 14K02478

**DEFENDANT EXPERIAN
INFORMATION SOLUTION INC.'S
ANSWER AND AFFIRMATIVE
DEFENSES TO PLAINTIFF EDEN
KRETCHET'S COMPLAINT**

Complaint Filed: February 14, 2014

COMES NOW Defendant Experian Information Solutions, Inc. ("Experian"), by and
through its undersigned counsel, and answers Plaintiff Eden Kretchet's ("Plaintiff") Complaint as
follows:

GENERAL DENIAL

Pursuant to section 431.30(d) of the California Code of Civil Procedure, Experian denies,
generally and specifically, each and every allegation of the Complaint. Experian further denies
that Plaintiff has suffered, or will suffer, any injury, detriment, damage or loss, or is entitled to

IRL-60878v1

EXPERIAN'S ANSWER AND AFFIRMATIVE DEFENSES TO COMPLAINT

1 costs, expenses or attorneys' fees in any matter or sum whatsoever, by reason of any act or
2 omission of Experian, its agents, employees and/or anyone acting on Experian's behalf. Experian
3 further denies that Plaintiff is entitled to the relief sought, or to any relief whatsoever.

4 **AFFIRMATIVE DEFENSES**

5 As separate and distinct affirmative defenses to the Complaint, Experian alleges as
6 follows:

7 **FIRST AFFIRMATIVE DEFENSE**

8 **(FAILURE TO STATE A CLAIM AGAINST EXPERIAN)**

9 1. The Complaint, and each purported cause of action therein, fails to state facts
10 sufficient to constitute a cause of action against Experian and further fails to state facts sufficient
11 to entitle Plaintiff to the relief sought, or to any other relief whatsoever, from Experian.

12 **SECOND AFFIRMATIVE DEFENSE**

13 **(IMMUNITY)**

14 2. Plaintiff's claims are barred as against Experian by the qualified immunity of
15 15 U.S.C. § 1681h(e).

16 **THIRD AFFIRMATIVE DEFENSE**

17 **(WAIVER)**

18 3. Plaintiff's claims are barred, in whole or in part, by the doctrine of waiver.

19 **FOURTH AFFIRMATIVE DEFENSE**

20 **(TRUTH/ACCURACY)**

21 4. Plaintiff's claims are barred as against Experian because all information Experian
22 communicated to any third person regarding Plaintiff was true.

23 **FIFTH AFFIRMATIVE DEFENSE**

24 **(FAILURE TO MITIGATE DAMAGES)**

25 5. Plaintiff has failed to mitigate her damages.

26 **SIXTH AFFIRMATIVE DEFENSE**

27 **(LACHES)**

28 6. The Complaint and each claim for relief therein is barred by laches.

SEVENTH AFFIRMATIVE DEFENSE

(CONTRIBUTORY/COMPARATIVE FAULT)

7. Experian is informed and believes and thereon alleges that any alleged damages sustained by Plaintiff was, at least in part, caused by the actions of Plaintiff herself and resulted from Plaintiff's own negligence which equaled or exceeded any alleged negligence or wrongdoing by Experian.

EIGHTH AFFIRMATIVE DEFENSE

(ESTOPPEL)

8. Any damages that Plaintiff may have suffered, which Experian continues to deny, were the direct and proximate result of the conduct of Plaintiff. Therefore, Plaintiff is estopped and barred from recovery of any damages whatsoever as against Experian.

NINTH AFFIRMATIVE DEFENSE

(STATUTE OF LIMITATIONS)

9. Experian is informed and believes and thereon alleges that all claims for relief in the Complaint against Experian are barred by the applicable statutes of limitation.

TENTH AFFIRMATIVE DEFENSE

(INTERVENING CAUSE)

10. Plaintiff's alleged damages, which Experian continues to deny, were not caused by Experian but by an independent intervening cause, including but not limited to accurate negative information regarding Plaintiff.

ELEVENTH AFFIRMATIVE DEFENSE

(UNCLEAN HANDS)

11. The Complaint, and each claim for relief therein that seeks equitable relief, is barred by the doctrine of unclean hands.

TWELFTH AFFIRMATIVE DEFENSE

(INDEMNIFICATION)

12. Experian is informed and believes and thereon alleges that any purported damages allegedly suffered by Plaintiff are the results of the acts or omissions of third persons over whom

1 Experian had neither control nor responsibility.

2 **THIRTEENTH AFFIRMATIVE DEFENSE**

3 **(IMPROPER REQUEST FOR PUNITIVE DAMAGES)**

4 13. Plaintiff's Complaint does not allege facts sufficient to rise to the level of conduct
5 required to recover punitive damages, and thus all requests for punitive damages are improper.

6 **FOURTEENTH AFFIRMATIVE DEFENSE**

7 **(RIGHT TO ASSERT ADDITIONAL DEFENSES)**

8 14. Experian reserves the right to assert additional affirmative defenses at such time
9 and to such extent as warranted by discovery and the factual developments in this case.

10 **PRAYER FOR RELIEF**

11 WHEREFORE, Defendant Experian prays as follows:

- 12 1. That Plaintiff take nothing by reason of the Complaint herein;
13 2. That the Complaint be dismissed in its entirety as to Experian;
14 3. That Experian be awarded costs of suit and reasonable attorneys' fees incurred
15 herein; and
16 4. For such other and further relief as the Court may deem just and proper.

17
18 Dated: March 13, 2014

JONES DAY

19
20 By: 

21 Katherine A. Klimkowski

22 Attorneys for Defendant
23 EXPERIAN INFORMATION SOLUTIONS,
24 INC.
25
26
27
28

PROOF OF SERVICE BY MAIL

I, Estelle S. Pete, am a citizen of the United States and employed in Orange County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 3161 Michelson Drive, Suite 800, Irvine, California 92612.4408. I am readily familiar with this firm's practice for collection and processing of correspondence for mailing with the United States Postal Service. On March 13, 2014, I placed with this firm at the above address for deposit with the United States Postal Service a true and correct copy of the within document(s):

**DEFENDANT EXPERIAN INFORMATION SOLUTION INC.'S ANSWER
AND AFFIRMATIVE DEFENSES TO PLAINTIFF EDEN KRETCHET'S
COMPLAINT**

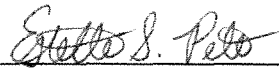
in a sealed envelope, postage fully paid, addressed as follows:

Eden Kretchet
11137 Freer Street
Temple City, CA 91780
T: (949) 600-0380
Plaintiff in propria persona

Following ordinary business practices, the envelope was sealed and placed for collection and mailing on this date, and would, in the ordinary course of business, be deposited with the United States Postal Service on this date.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on March 13, 2014, at Irvine, California.



Estelle S. Pete

PROOF OF SERVICE BY MAIL

I, Estelle S. Pete, am a citizen of the United States and employed in Orange County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 3161 Michelson Drive, Suite 800, Irvine, California 92612.4408. I am readily familiar with this firm's practice for collection and processing of correspondence for mailing with the United States Postal Service. On March 14, 2014, I placed with this firm at the above address for deposit with the United States Postal Service a true and correct copy of the within document(s):

NOTICE OF REMOVAL OF ACTION: UNDER 28 U.S.C. § 1441

in a sealed envelope, postage fully paid, addressed as follows:

Eden Kretchet
11137 Freer Street
Temple City, CA 91780
T: (949) 600-0380
Plaintiff in propria persona

Following ordinary business practices, the envelope was sealed and placed for collection and mailing on this date, and would, in the ordinary course of business, be deposited with the United States Postal Service on this date.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on March 14, 2014, at Irvine, California.



Estelle S. Pete

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

I. (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) EDEN KRETCHET, Plaintiff in propria persona	DEFENDANTS (Check box if you are representing yourself <input type="checkbox"/>) EXPERIAN INFORMATION SOLUTIONS, INC., et al.
(b) County of Residence of First Listed Plaintiff (EXCEPT IN U.S. PLAINTIFF CASES)	County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY)
(c) Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information. Eden Kretchet 11137 Freer Street Temple City, CA 91780 T: (949) 600-0380	Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information. JONES DAY 3161 Michelson Drive, Suite 800 Irvine, CA 92612 T: (949) 851-3939 / F: (949) 553-7539

II. BASIS OF JURISDICTION (Place an X in one box only.) <input type="checkbox"/> 1. U.S. Government Plaintiff <input type="checkbox"/> 2. U.S. Government Defendant <input checked="" type="checkbox"/> 3. Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 4. Diversity (Indicate Citizenship of Parties in Item III)	III. CITIZENSHIP OF PRINCIPAL PARTIES -For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant) <table style="width:100%;"> <tr> <td style="width:33%;">Citizen of This State</td> <td style="width:10%;">PTF <input type="checkbox"/> 1</td> <td style="width:10%;">DEF <input type="checkbox"/> 1</td> <td style="width:33%;">Incorporated or Principal Place of Business in this State</td> <td style="width:10%;">PTF <input type="checkbox"/> 4</td> <td style="width:10%;">DEF <input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td>PTF <input type="checkbox"/> 2</td> <td>DEF <input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td>PTF <input type="checkbox"/> 5</td> <td>DEF <input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td>PTF <input type="checkbox"/> 3</td> <td>DEF <input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td>PTF <input type="checkbox"/> 6</td> <td>DEF <input type="checkbox"/> 6</td> </tr> </table>	Citizen of This State	PTF <input type="checkbox"/> 1	DEF <input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	PTF <input type="checkbox"/> 4	DEF <input type="checkbox"/> 4	Citizen of Another State	PTF <input type="checkbox"/> 2	DEF <input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	PTF <input type="checkbox"/> 5	DEF <input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	PTF <input type="checkbox"/> 3	DEF <input type="checkbox"/> 3	Foreign Nation	PTF <input type="checkbox"/> 6	DEF <input type="checkbox"/> 6
Citizen of This State	PTF <input type="checkbox"/> 1	DEF <input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	PTF <input type="checkbox"/> 4	DEF <input type="checkbox"/> 4														
Citizen of Another State	PTF <input type="checkbox"/> 2	DEF <input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	PTF <input type="checkbox"/> 5	DEF <input type="checkbox"/> 5														
Citizen or Subject of a Foreign Country	PTF <input type="checkbox"/> 3	DEF <input type="checkbox"/> 3	Foreign Nation	PTF <input type="checkbox"/> 6	DEF <input type="checkbox"/> 6														

IV. ORIGIN (Place an X in one box only.)

<input type="checkbox"/> 1. Original Proceeding	<input checked="" type="checkbox"/> 2. Removed from State Court	<input type="checkbox"/> 3. Remanded from Appellate Court	<input type="checkbox"/> 4. Reinstated or Reopened	<input type="checkbox"/> 5. Transferred from Another District (Specify)	<input type="checkbox"/> 6. Multi-District Litigation
---	---	---	--	---	---

V. REQUESTED IN COMPLAINT: JURY DEMAND: ☒ Yes ☐ No (Check "Yes" only if demanded in complaint.)

CLASS ACTION under F.R.Cv.P. 23: ☐ Yes ☐ No **MONEY DEMANDED IN COMPLAINT:** \$

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)
 28 U.S.C. 1441 and 28 U.S.C. 1446, Fair Credit Reporting Act

VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES	CONTRACT	REAL PROPERTY CONT.	IMMIGRATION	PRISONER PETITIONS	PROPERTY RIGHTS
<input type="checkbox"/> 375 False Claims Act	<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 462 Naturalization Application	Habeas Corpus:	<input type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 463 Alien Detainee	<input type="checkbox"/> 830 Patent
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 290 All Other Real Property	TORTS	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 140 Negotiable Instrument	PERSONAL INJURY	PERSONAL PROPERTY	<input type="checkbox"/> 530 General	SOCIAL SECURITY
<input type="checkbox"/> 450 Commerce/ICC Rates/Etc.	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 861 HIA (1395ff)
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 371 Truth in Lending	Other:	<input type="checkbox"/> 862 Black Lung (923)
<input type="checkbox"/> 470 Racketeer Influenced & Corrupt Org.	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Vet.)	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 540 Mandamus/Other	<input type="checkbox"/> 863 DIWC/DIWW (405 (g))
<input checked="" type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 330 Fed. Employers' Liability	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 864 SSID Title XVI
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 153 Recovery of Overpayment of Vet. Benefits	<input type="checkbox"/> 340 Marine	BANKRUPTCY	<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 865 RSI (405 (g))
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 560 Civil Detainee Conditions of Confinement	FEDERAL TAX SUITS
<input type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 423 Withdrawal 28 USC 157	FORFEITURE/PENALTY	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
<input type="checkbox"/> 891 Agricultural Acts	<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 355 Motor Vehicle Product Liability	CIVIL RIGHTS	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
<input type="checkbox"/> 893 Environmental Matters	REAL PROPERTY	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 440 Other Civil Rights	LABOR	
<input type="checkbox"/> 895 Freedom of Info. Act	<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 710 Fair Labor Standards Act	
<input type="checkbox"/> 896 Arbitration	<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 720 Labor/Mgmt. Relations	
<input type="checkbox"/> 899 Admin. Procedures Act/Review of Appeal of Agency Decision	<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 740 Railway Labor Act	
<input type="checkbox"/> 950 Constitutionality of State Statutes		<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 445 American with Disabilities-Employment	<input type="checkbox"/> 751 Family and Medical Leave Act	
		<input type="checkbox"/> 369 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 446 American with Disabilities-Other	<input type="checkbox"/> 790 Other Labor Litigation	
			<input type="checkbox"/> 448 Education	<input type="checkbox"/> 791 Employee Ret. Inc. Security Act	

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

VIII. VENUE: Your answers to the questions below will determine the division of the Court to which this case will most likely be initially assigned. This initial assignment is subject to change, in accordance with the Court's General Orders, upon review by the Court of your Complaint or Notice of Removal.

Question A: Was this case removed from state court? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If "no," go to Question B. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.	STATE CASE WAS PENDING IN THE COUNTY OF:		INITIAL DIVISION IN CACD IS:
	<input checked="" type="checkbox"/> Los Angeles		Western
	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo		Western
	<input type="checkbox"/> Orange		Southern
	<input type="checkbox"/> Riverside or San Bernardino		Eastern

Question B: Is the United States, or one of its agencies or employees, a party to this action? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "no," go to Question C. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.	If the United States, or one of its agencies or employees, is a party, is it:		INITIAL DIVISION IN CACD IS:
	A PLAINTIFF?	A DEFENDANT?	
	Then check the box below for the county in which the majority of DEFENDANTS reside:	Then check the box below for the county in which the majority of PLAINTIFFS reside:	
	<input type="checkbox"/> Los Angeles	<input type="checkbox"/> Los Angeles	Western
	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	Western
	<input type="checkbox"/> Orange	<input type="checkbox"/> Orange	Southern
	<input type="checkbox"/> Riverside or San Bernardino	<input type="checkbox"/> Riverside or San Bernardino	Eastern
<input type="checkbox"/> Other	<input type="checkbox"/> Other	Western	

Question C: Location of plaintiffs, defendants, and claims? (Make only one selection per row)	A. Los Angeles County	B. Ventura, Santa Barbara, or San Luis Obispo Counties	C. Orange County	D. Riverside or San Bernardino Counties	E. Outside the Central District of California	F. Other
Indicate the location in which a majority of plaintiffs reside:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indicate the location in which a majority of defendants reside:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indicate the location in which a majority of claims arose:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

C.1. Is either of the following true? If so, check the one that applies: <input type="checkbox"/> 2 or more answers in Column C <input type="checkbox"/> only 1 answer in Column C and no answers in Column D Your case will initially be assigned to the SOUTHERN DIVISION. Enter "Southern" in response to Question D, below. If none applies, answer question C2 to the right. →	C.2. Is either of the following true? If so, check the one that applies: <input type="checkbox"/> 2 or more answers in Column D <input type="checkbox"/> only 1 answer in Column D and no answers in Column C Your case will initially be assigned to the EASTERN DIVISION. Enter "Eastern" in response to Question D, below. If none applies, go to the box below. ↓
Your case will initially be assigned to the WESTERN DIVISION. Enter "Western" in response to Question D below.	

Question D: Initial Division?	INITIAL DIVISION IN CACD
Enter the initial division determined by Question A, B, or C above: →	Western

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

IX(a). IDENTICAL CASES: Has this action been previously filed **in this court** and dismissed, remanded or closed? ☒ NO ☐ YES

If yes, list case number(s): _____

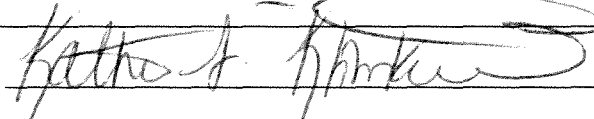
IX(b). RELATED CASES: Have any cases been previously filed **in this court** that are related to the present case? ☒ NO ☐ YES

If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

**X. SIGNATURE OF ATTORNEY
(OR SELF-REPRESENTED LITIGANT):**



DATE: March 14, 2014

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet).

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405 (g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))

PROOF OF SERVICE BY MAIL

I, Estelle S. Pete, am a citizen of the United States and employed in Orange County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 3161 Michelson Drive, Suite 800, Irvine, California 92612.4408. I am readily familiar with this firm's practice for collection and processing of correspondence for mailing with the United States Postal Service. On March 14, 2014, I placed with this firm at the above address for deposit with the United States Postal Service a true and correct copy of the within document(s):

CIVIL COVER SHEET

in a sealed envelope, postage fully paid, addressed as follows:

Eden Kretchet
11137 Freer Street
Temple City, CA 91780
T: (949) 600-0380
Plaintiff in propria persona

Following ordinary business practices, the envelope was sealed and placed for collection and mailing on this date, and would, in the ordinary course of business, be deposited with the United States Postal Service on this date.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on March 14, 2014, at Irvine, California.



Estelle S. Pete

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

NOTICE OF ASSIGNMENT TO UNITED STATES JUDGES

This case has been assigned to District Judge Dolly M. Gee and the assigned
Magistrate Judge is Ralph Zarefsky.

The case number on all documents filed with the Court should read as follows:

CV14-01953 DMG (RZx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge.

Clerk, U. S. District Court

March 14, 2014

Date

By Nancy Boehme
Deputy Clerk

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

- | | | |
|---|---|---|
| <input type="checkbox"/> Western Division
312 N. Spring Street, G-8
Los Angeles, CA 90012 | <input checked="" type="checkbox"/> Southern Division
411 West Fourth St., Ste 1053
Santa Ana, CA 92701 | <input type="checkbox"/> Eastern Division
3470 Twelfth Street, Room 134
Riverside, CA 92501 |
|---|---|---|

Failure to file at the proper location will result in your documents being returned to you.

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

EDEN KRETCHET

CASE NUMBER

CV14-01953 DMG (RZx)

PLAINTIFF(S)

v.
TRANS UNION LLC, et al.,

**NOTICE TO PARTIES OF
COURT-DIRECTED ADR PROGRAM**

DEFENDANT(S)

NOTICE TO PARTIES:

It is the policy of this Court to encourage settlement of civil litigation when such is in the best interest of the parties. The Court favors any reasonable means, including alternative dispute resolution (ADR), to accomplish this goal. *See* Civil L.R. 16-15. Unless exempted by the trial judge, parties in all civil cases must participate in an ADR process before trial. *See* Civil L.R. 16-15.1.

The district judge to whom the above-referenced case has been assigned is participating in an ADR Program that presumptively directs this case to either the Court Mediation Panel or to private mediation. *See* General Order No. 11-10, §5. For more information about the Mediation Panel, visit the Court website, www.cacd.uscourts.gov, under "ADR."

Pursuant to Civil L.R. 26-1(c), counsel are directed to furnish and discuss with their clients the attached ADR Notice To Parties *before* the conference of the parties mandated by Fed.R.Civ.P. 26(f). Based upon the consultation with their clients and discussion with opposing counsel, counsel must indicate the following in their Joint 26(f) Report: 1) whether the case is best suited for mediation with a neutral from the Court Mediation Panel or private mediation; and 2) when the mediation should occur. *See* Civil L.R. 26-1(c).

At the initial scheduling conference, counsel should be fully prepared to discuss their preference for referral to the Court Mediation Panel or to private mediation and when the mediation should occur. The Court will enter an Order/Referral to ADR at or around the time of the scheduling conference.

Clerk, U. S. District Court

March 14, 2014

Date

By Nancy Boehme
Deputy Clerk

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

**NOTICE TO PARTIES: COURT POLICY ON SETTLEMENT
AND USE OF ALTERNATIVE DISPUTE RESOLUTION (ADR)**
Counsel are required to furnish and discuss this Notice with their clients.

Despite the efforts of the courts to achieve a fair, timely and just outcome in all cases, litigation has become an often lengthy and expensive process. For this reason, it is this Court's policy to encourage parties to attempt to settle their disputes, whenever possible, through alternative dispute resolution (ADR).

ADR can reduce both the time it takes to resolve a case and the costs of litigation, which can be substantial. ADR options include mediation, arbitration (binding or non-binding), neutral evaluation (NE), conciliation, mini-trial and fact-finding. ADR can be either Court-directed or privately conducted.

The Court's ADR Program offers mediation through a panel of qualified and impartial attorneys who will encourage the fair, speedy and economic resolution of civil actions. Panel Mediators each have at least ten years of legal experience and are appointed by the Court. They volunteer their preparation time and the first three hours of a mediation session. This is a cost-effective way for parties to explore potential avenues of resolution.

This Court requires that counsel discuss with their clients the ADR options available and instructs them to come prepared to discuss the parties' choice of ADR option (settlement conference before a magistrate judge; Court Mediation Panel; private mediation) at the initial scheduling conference. Counsel are also required to indicate the client's choice of ADR option in advance of that conference. *See* Civil L.R. 26-1(c) and Fed.R.Civ.P. 26(f).

Clients and their counsel should carefully consider the anticipated expense of litigation, the uncertainties as to outcome, the time it will take to get to trial, the time an appeal will take if a decision is appealed, the burdens on a client's time, and the costs and expenses of litigation in relation to the amounts or stakes involved.

With more than 15,000 civil cases filed in the District in 2012, less than 1 percent actually went to trial. Most cases are settled between the parties; voluntarily dismissed; resolved through Court-directed or other forms of ADR; or dismissed by the Court as lacking in merit or for other reasons provided by law.

For more information about the Court's ADR Program, the Mediation Panel, and the profiles of mediators, visit the Court website, www.cacd.uscourts.gov, under "ADR."